APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
08/781,696	01/10/97	BANATWALA M	75677/NAB

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001333                          TM02/1023
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EXAMINER
PAULA,C

ART UNIT	PAPER NUMBER
2176	20

DATE MAILED:

10/23/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _11 January 2001_ .

2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-17_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-17_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

    If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

    a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
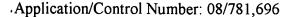6) ☐ Other: .

DETAILED ACTION

1.   This action is responsive to the CPA filed on 1/11/2001.

This action is made Non-final.

2.   In the amendment, claims 1-17 are pending in the case. Claims 1, 7, and 12 are independent claims.

3.   The rejections of claims 1-5, and 7-9 under 35 U.S.C. 102(a) as being anticipated by Windows NT Explorer 4.0 screen dumps (Figs. 1-9, 1994) have been withdrawn as necessitated by the amendment.

4.   The rejections of claims 6, and 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Windows NT Explorer 4.0 screen dumps (Figs. 1-9, 1994) have been withdrawn as necessitated by the amendment.

Drawings

5.   This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

6.   The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 7/16/99 have been approved.

7.   The proposed drawing correction and/or the proposed substitute sheets of drawings, filed on 6/9/2000 have been approved.

Claim Rejections - 35 USC § 103

8.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

9.   Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Windows NT

Explorer 4.0 screen dumps (Figs. 1-9, 1994), in view of PhotoImpact 3.0 file dialog boxes

screendumps, hereinafter Photoimpact (1996).

Regarding independent claims 1, and 7, Windows NT Explorer discloses the invention

as follows:

It is noted that Windows NT Explorer disclose a *file/image previewing apparatus—*

Windows NT Explorer Quick View program.

Moreover, Windows NT Explorer discloses *an extension...enabling display of internal file*

characteristics and the file image of the desired file by opening the desired file in a manner free

of opening an application program in working memory........ (Quick View pop-up window in

Fig. 2, which enables user to open, and display the internal contents of a file, e.g., color type,

graphics, font etc, and the file image without opening an application program in the computer's

memory). Windows NT Explorer fails to explicitly disclose: *an extension...enabling display of a*

recitation of indicia of internal file characteristics separate from the file image. Photoimpact

teaches the display of file characteristics—color type, compression, image dimensions, number

of pixels..etc—separate from the image(p.1-2).   It would have been obvious to a person of

ordinary skill in the art at the time of the invention to combine the teachings of Windows NT

Explorer, and Photoimpact, because Windows NT Explorer teaches above the display of file

characteristics without the time-consuming task of opening an application program in working

memory.

Furthermore, Windows NT Explorer discloses *display assembly .... for displaying the*

recitation of indicia of file characteristics .... in a manner free of opening a application program

in working memory .... (preview of file in Fig. 3, which shows the internal contents of a file, e.g.,

color type, graphics, font etc, and the file image without opening an application program in the

computer's memory). Windows NT Explorer fails to explicitly disclose: *displaying the recitation*

of indicia of internal file characteristics separate from the file image. Photoimpact teaches the

display of file characteristics—color type, compression, image dimensions, number of

pixels..etc—apart from the image (p.1-2). It would have been obvious to a person of ordinary

skill in the art at the time of the invention to combine the teachings of Windows NT Explorer,

and Photoimpact, because Windows NT Explorer teaches above the display of file characteristics

without the time-consuming task of opening an application program in working memory.

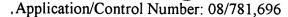Regarding dependent claim 2, Windows NT Explorer discloses:

an extension coupled to the file manager....user interface in common with the file manager....

(pop-up window in Fig. 2).

Regarding dependent claims 3, Windows NT Explorer discloses:

an extension....display of working image from the file (i.e selection of file Dffintro and its

display in Figs. 2 and 3).

Regarding dependent claims 4, Windows NT Explorer discloses:

a *display of the working image is a reduced-in-size version of working image*(Fig. 3).

Claim 5 is directed towards an apparatus for implementing the system found in claim 1,
and is therefore similarly rejected.

Regarding dependent claims 6, Windows NT Explorer discloses that:

the file manager is a document manager for managing folders of files (Fig. 9);

and *the extension* (pop-up windows in Fig. 9, from the "New" option in the "File" menu, would

enable the user to create, delete, rename, etc folders) *enables display of folder characteristics...*

(Fig. 9). It is noted that Windows NT Explorer fails to explicitly disclose a single *characteristic*

as referred to in claim 6, however, it would have been obvious to a person of ordinary skill in the

art at the time of the invention to enable *the extension* to display one *folder characteristic*,

instead of several *characteristics* as in claim 11 and Windows NT in order to customize the

display.

Regarding dependent claim 8, Windows NT Explorer discloses:

an extension....display of working image from the file (i.e selection of file Dffintro and its

display in Figs. 2 and 3).

Regarding dependent claim 9, Windows NT Explorer discloses:

a *display of the working image is a reduced-in-size version of working image*(Fig. 3).

Regarding dependent claim 10, Windows NT Explorer discloses:

method and apparatus to provide *the indication of file characteristics* (the compression type of

Winzip file "4, 8-5, 5, 99" at the bottom of Fig. 8). It is noted that Windows NT Explorer fails to

explicitly disclose the *annotation graphics of the file*, however, it would have been obvious to a

person of ordinary skill in the art at the time of the invention to include these *annotation*

graphics along with at least one of *the file characteristics*, such as compression type in order to

have specific details on the file or image.

Regarding dependent claim 11, Windows NT Explorer discloses that:

the file manager is a document manager for managing folders of files (Fig. 9);

and *the extension* (pop-up windows in Fig. 9, from the "New" option in the "File" menu, would

enable the user to create, delete, rename, etc folders) *enables display of folder characteristics...*

(Fig. 9). It is noted that Windows NT Explorer fails to explicitly disclose a single *characteristic*

as referred to in claim 6, however, it would have been obvious to a person of ordinary skill in the

art at the time of the invention to enable *the extension* to display one *folder characteristic*,

instead of several *characteristics* as in claim 11 and Windows NT in order to customize the

display.

Regarding independent claims 12, Windows NT Explorer disclosesthe invention as

follows:

It is noted that Windows NT Explorer disclose *providing a working memory for*

executing application programs, and executing application programs in said working

memory... —Windows NT Explorer "about Quick View" window in fig. 4 teaches memory for

the execution of application programs.

It is noted that Windows NT Explorer disclose a *file/image previewing apparatus*—

Windows NT Explorer Quick View program.

Moreover, the limitations of *enabling display of internal file characteristics....and in a*

manner free of opening and running an application program in working memory, are rejected

based on the same basis as claim 1.

Claim 13 is directed towards a method for implementing the system found in claim 1, and

is therefore similarly rejected.

Regarding dependent claims 14, Windows NT Explorer discloses:

a *display of the working image is a reduced-in-size version of working image*(Fig. 3).

Regarding dependent claims 15, Windows NT Explorer discloses:

method and apparatus to provide *the indication of file characteristics* (the compression type in

Fig. 7).

It is noted that Windows NT Explorer fails to explicitly disclose the *annotation graphics*

of the file, however, it would have been obvious to a person of ordinary skill in the art at the time

of the invention to include these *annotation graphics* along with at least one of *the file*

characteristics, such as compression type in order to have a more complete and specific details

on the file or image.

Claim 16 is directed towards a method for implementing the system found in claim 1, and

is therefore similarly rejected.

Regarding dependent claim 17, Windows NT Explorer discloses the invention as follows:

a method....step of providing operating system means (Windows NT Explorer in Fig. 1) includes

at least one of: providing a document manager..... (left pane in Fig. 5)

and providing a file manager (right pane in Fig. 1)..... in a manner free of opening an

application program in the working memory.

Response to Arguments

10.   Applicant's arguments filed 6/9/2000 have been fully considered but they are not

persuasive. The Applicant submits that: "...Windows NT Explorer ...discloses a user

interface.....but these properties/characteristics are external, not internal....."(page 5, pgph. 2).

The Examiner disagrees with this submission, because as seen in Fig. 7 Windows NT teaches the

indication of file compression, and type of compression used in forming file (i,e. "zip" etc), color

type (i, e, black & white or color) such as claimed by the Applicants.

11.   Applicant's arguments with respect to claim 1-17 have been considered but are moot in

view of the of rejections as necessitated by the amendment.

Regarding claims 1-9, the Applicant submits that: "Nowhere does Quickview display an

indicia of the internal file characteristics such as 'height, width, length, color type,

resolution"(p.5, L.16-24). The Applicants are directed towards the new rejections of this

limitation as necessitated by the amendment.

Regarding claim 5, the Applicant submits that Windows NT screendumps does not teach:

"a recitation of indicia of internal file characteristics separate from the file image "(p.6, L.6-24).

The Applicants are directed towards the new rejections of this limitation as necessitated by the

amendment.

Claim 6 is rejected based on the rationale stated above regarding claim 1-9.

Conclusion

I.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure. MANDER et al. (Pat. # **6,243,724 B1**).

II.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Cesar B. Paula whose telephone number is (703) 306-5543. The

examiner can normally be reached on Monday through Friday from 8:00 a.m. to 4:00 p.m.

(EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor,

Heather Herndon, can be reached on (703) 308-5186. However, in such a case, please allow at

least one business day.

Any inquiry of a general nature or relating to the status of this application or proceeding should

be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this Action should be mailed to:

> Director United States Patent and Trademark Office
>
> Washington, D.C. 20231

Or faxed to:

- **(703) 746-7238**, (for **After Final** communications intended for entry)

- **(703) 746-7239**, (for **Formal** communications intended for entry)

    Or:

- **(703) 746-5644**, (for **Informal or Draft** communications for discussion only, please label

    "**PROPOSED**" or "**DRAFT**").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,

Arlington, VA, Sixth Floor (Receptionist).

CBP

10/18/01

STEPHEN S. HONG
PRIMARY EXAMINER